

## **REMARKS**

Claims 1, 2, 4, 5, 8-10, 19, 22, 23, 26-28, 31-33, and 37 stand rejected under 35 U.S.C. § 103(a) as unpatentable over US Publication 2005/0027863 by Talwar et al. (Talwar) in view of US Publication 2005/0125537 by Martins et al. (Martins) and in view of US Publication 2004/0093381 by Hodges et al. (Hodges). Claims 6, 7, 12, 13, 20, 21, 24, 29, 30, 35, and 36 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Talwar in view of Martins and Hodges and in further view of US Patent 6,460,082 to Lumelsky et al. (Lumelsky). Claims 11, 14, 15, 17, 18, 34, and 38 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Talwar in view of Martins and Hodges and in further view of US Publication 2004/0064480 by Bartlett et al. (Bartlett). Claims 16 and 25 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Talwar in view of Martins, Hodges, Bartlett, and Lumelsky.

Applicant thanks the Examiner for the telephone interview of March 31, 2009. We discussed the present invention and a proposed amendment. Applicant agreed to submit the amendment, and does so with this response.

## **Amendments to the Claims**

Applicant has amended claim 1 with the limitation "...a storage device storing executable code..." and "... a processor executing the executable code...." The amendment is well supported by the specification. See page 8, ¶ 30-31. Claims 14, 19, and 37 are similarly amended. Claims 22 and 25 are amended to specify that a step is performed "...by use of a processor...."

Applicant has further amended claim 1 with the limitations “...allowing a user to input a parameter control request, the parameter control request increasing an allocation of a performance resource and corresponding to a performance parameter for the performance resource stored in a profile in a memory device of the grid computing system...” and “...reserving the performance resource with the updated performance parameter increasing the allocation of the performance resource for the grid computing operation...” The amendment is well supported by the specification. See page 16, ¶ 55; page 23, ¶ 81; fig. 8, ref. 806. Claims 1, 14, 19, 22, 25, 26, and 37 are similarly amended.

Claim 4 is amended with the limitation “...the global reservation module further determining if the performance resource is in use and discontinuing use of the performance resource if the performance resource is in use before reserving the performance resource with the updated performance parameter for the grid computing system...” The amendment is well supported by the specification. See pages 23-24, ¶ 82; fig. 8, ref. 808.

Claim 38 is amended with the limitation “...synchronizing the client performance parameter with the profile stored on the global on-demand apparatus during the concurrent grid system operation, overriding the performance parameter...” The amendment is well supported by the specification. See page 22, ¶ 77.

Applicant has added new claim 39 with the limitations of claim 1 and 38. New claim 40 is added with the limitations of claim 38. Claim 27 is amended with limitations of claim 25.

Applicant has amended claims 1, 6-14, 16, 19-21, and 38 to remove “configured” language. Claims 14 is amended with the limitations of claim 15. Claim 16 is amended with the

limitations of claim 17. Claims 15, 17 are canceled.

Response to rejections of claims under 35 U.S.C. § 103(a)

Claims 1, 2, 4, 5, 8-10, 19, 22, 23, 26-28, 31-33, and 37 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Talwar in view of Martins and in view of Hodges. Claims 6, 7, 12, 13, 20, 21, 24, 29, 30, 35, and 36 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Talwar in view of Martins and Hodges and in further view of Lumelsky. Claims 11, 14, 15, 17, 18, 34, and 38 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Talwar in view of Martins and Hodges and in further view of Bartlett. Claims 16 and 25 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Talwar in view of Martins, Hodges, Bartlett, and Lumelsky.

Claim 1 as amended includes the limitations:

“...a storage device storing executable code;  
a processor executing the executable code, the executable code comprising  
a global user input module allowing a user to input a parameter control request, the  
parameter control request increasing an allocation of a performance resource and corresponding  
to a performance parameter for the performance resource stored in a profile in a memory device  
of the grid computing system;  
a global parameter module **dynamically updating the performance parameter  
according to the parameter control request during a concurrent grid system operation;** and  
a global reservation module **reserving the performance resource with the updated  
performance parameter increasing the allocation of the performance resource for the grid  
computing operation.**” Emphasis added.

Independent claims 14, 19, 22, 26, and 37 include similar limitations. Thus the present

invention claims inputting a parameter control request, the parameter control request increasing an allocation of a performance resource and corresponding to a performance parameter for the performance resource stored in a profile in a memory device of the grid computing system. See claim 1. The present invention further claims dynamically updating the performance parameter according to the parameter control request during a concurrent grid system operation. See claim 1. In addition, the present invention claims reserving the performance resource with the updated performance parameter increasing the allocation of the performance resource for the grid computing operation. See claim 1. Thus the present invention supports increasing an allocation of a performance resource during a concurrent grid system operation. See pages 23-24, ¶ 82; fig. 8, ref. 808.

Applicant submits that claim 1 is distinguished from the combination of Talwar, Martins, Hodges, Bartlett, and Lumelsky by claiming “...dynamically updating the performance parameter according to the parameter control request during a concurrent grid system operation...” and “...reserving the performance resource with the updated performance parameter increasing the allocation of the performance resource for the grid computing operation....” Claims 14, 19, 22, 25, 26, and 37 include similar limitations. The Examiner points out that Martins teaches monitoring an allocation of resources to a virtual machine in a grid computing system and if a policy is violated, restricting the virtual machine’s access to the grid system resources. Office Action of February 19, 2009 (OA), page 4, lines 1-3, citing Martins, page 3, ¶ 22.

Applicant has amended claim 1 to specify that the performance resource is reserved with an updated performance parameter increasing the allocation of the performance resource. Thus

while Martins only teaches restricting access to grid system resources during concurrent grid system operation, the present invention claims updating the performance parameter during the concurrent grid system operation and increasing the allocation of the performance resource. Applicant therefore submits that the combination of Talwar, Martins, Hodges, Bartlett, and Lumelsky does not disclose the elements "...dynamically updating the performance parameter according to the parameter control request during a concurrent grid system operation..." and "...reserving the performance resource with the updated performance parameter increasing the allocation of the performance resource for the grid computing operation..." claimed for claim 1 as we discussed.

Applicant submits that claim 1 is allowable as the combination of the combination of Talwar, Martins, Hodges, Bartlett, and Lumelsky do not teach each element of the claim. Claims 14, 19, 22, 25, 26, and 37 are also allowable for the same reason. Applicant further submits that claims 2, 4-13, 16, 18, 20, 21, 23, 24, 27-36, and 38-40 are allowable as depending from allowable claims.

With further regards to claim 7, claim 7 includes the limitation "...reserving another performance resource for the grid computing operation, wherein the other performance resource is the same type of performance resource as the reclaimed performance resource." The Examiner cites Lumelsky's teaching of a system administrator or server controlling and reclaiming a global resource. OA, page 13, lines 3-6, citing Lumelsky, col. 11, lines 31-56. Applicant respectfully disagrees.

Lumelsky does not disclose reserving another resource of the same type of resource as a

reclaimed resource. Lumelsky, col. 11, lines 31-56. Instead Lumelsky teaches away from this limitation by disclosing declining requests that have high cost or little revenue. Lumelsky, col. 11, lines 48-54. There is no teaching in Lumelsky of reserving another resource of the same type of resource as a reclaimed resource. Applicant therefore submits that claim 7 and similar claim 30 are allowable.

With further regards to claim 11, claim 11 includes the limitation "...synchronize one of the stored client profiles with a local client profile stored on a client..." Claim 10 from which claim 11 depends includes that the limitation "...each of the plurality of client profiles comprising a client performance parameter of a client performance resource available to the grid computing system." The Examiner cites Bartlett's teaching of synchronizing plug-ins as disclosing synchronizing a stored client profile with a local client profile stored on a client. OA, page 16, lines 13-15; citing Bartlett, page 13, ¶ 175.

Bartlett teaches the synchronization of plug-ins that are requested. Bartlett, page 13, ¶ 175, fig. 14B, ref. 346. However, in Bartlett there is no teaching of synchronizing client profiles with performance parameters for resources available to a grid computing system as claimed in claim 11. Applicant therefore submits that claim 11, and also similar claim 34, are allowable.

### Conclusion

As a result of the presented remarks, Applicants assert that the application is in condition for prompt allowance. Should additional information be required regarding the traversal of the rejections of the claims enumerated above, Examiner is respectfully asked to notify Applicants of

such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

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